

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.
SECURITIES LITIGATION

Case No. 4:19-cv-00957

Judge George C. Hanks, Jr.

**APPENDIX TO DEFENDANTS' REPLY IN SUPPORT OF MOTION
TO EXCLUDE CERTAIN OPINIONS OF CLASS PLAINTIFFS' EXPERT
HAROLD MCGOWEN III UNDER RULE 702**

In accordance with Court Procedure 7(B)(3), Moving Defendants submit this Appendix in support of their Reply in Support of Motion to Exclude Certain Opinions of Class Plaintiffs' Expert Harold McGowen III Under Rule 702, which is filed concurrently herewith. Moving Defendants rely on the following evidence to support their motion:

Ex. No.	Description
3	Excerpts of the Deposition of Harold E. McGowen III taken on November 13, 2023
4	Excerpts of the Expert Report On: Alta Mesa Resources' Development of its Stack Acreage by Edward James Fetkovich dated August 31, 2023

Dated: February 2, 2024

Respectfully submitted,

By /s/ J. Christian Word

J. Christian Word

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CERTIFICATE OF SERVICE

I certify that on February 2, 2024, a true and correct copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ J. Christian Word

J. Christian Word

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

ALTA MESA RESOURCES, Civil Action No.
INC. SECURITIES 4:19-cv-00957
LITIGATION

ALYESKA MASTER FUND,
L.P., ALYESKA MASTER
FUND 2, L.P., AND
ALYESKA MASTER FUND 3,
L.P.,

Plaintiffs,

v.

Case No.
4:22-cv-01189

ALTA MESA RESOURCES,
INC., f/k/a SILVER RUN
ACQUISITION CORPORATION
II; RIVERSTONE HOLDINGS,
LLC; ARM ENERGY
HOLDINGS, LLC; BAYOU
CITY ENERGY MANAGEMENT,
LLC; HPS INVESTMENT
PARTNERS, LLC; JAMES T.
HACKETT; HARLAN H.
CHAPPELLE; WILLIAM
GUTERMUTH; JEFFREY H.
TEPPER; DIANA J.
WALTERS; MICHAEL E.
ELLIS; RONALD SMITH; DON
DIMITRIEVICH; PIERRE F.
LAPEYRE, JR.; DAVID M.
LEUSCHEN; WILLIAM W.
McMULLEN; DONALD
SINCLAIR; STEPHEN COATS;
and THOMAS J. WALKER,

Defendants.

REMOTE VIDEOTAPED DEPOSITION OF
HAROLD E. MCGOWEN III
November 13, 2023
8:35 a.m. Central

Deanna Amore - CRR, RPR, CSR - 084-003999

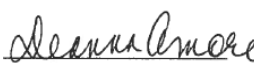
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES OF COUNSEL (All counsel appeared remotely.)</p> <p>2 On Behalf of the Class Plaintiffs:</p> <p>3 ENTWISTLE & CAPPUCCI</p> <p>4 BRENDAN J. BRODEUR SAL H. LEE</p> <p>5 CALLIE CRISPIN ANDREW M. SHER</p> <p>6 ANDREW ENTWISTLE 299 Park Avenue 20th Floor New York, New York 10171 ccrispin@entwistle-law.com bbrodeur@entwistle-law.com slee@entwistle-law.com asher@entwistle-law.com aentwistle@entwistle-law.com - and -</p> <p>11 ROBBINS GELLER RUDMAN & DOWD JACK KELLEY 655 West Broadway, Suite 1900 San Diego, California 92101 jkelly@rdglaw.com</p> <p>14 On Behalf of Plaintiffs Orbis Investments and Alyeska Investment Group:</p> <p>15 ROLNICK KRAMER SADIGHI LLP FRANK CATALINA 1251 6th Avenue New York, New York 10020 fcatalina@rksllp.com</p> <p>18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 I N D E X</p> <p>2 WITNESS EXAMINATION</p> <p>3 HAROLD McGOWEN</p> <p>4 EXAMINATION BY MS. GRAGERT 8</p> <p>5 EXAMINATION BY MR. BRODEUR 271</p> <p>6 FURTHER EXAMINATION BY MS. GRAGERT 301</p> <p>7 EXHIBITS</p> <p>8 Exhibit 84 8.31.2023 Expert Report 10 of Harold E. McGowen III</p> <p>10 Exhibit 85 Condensed CV of 11 Harold E. McGowen III</p> <p>12 Exhibit 86 McGowen Income Statement 11</p> <p>13 Exhibit 87 Defendants' Notice of 12 Deposition of</p> <p>15 Harold E. McGowen III</p> <p>16 Exhibit 88 Understanding Well 95 Interference and</p> <p>17 Parent-Child Well</p> <p>19 Relationships - Sudiptya</p> <p>20 Banerjee, Tracerco</p> <p>21 Exhibit 89 3.22.2018 RS Energy Group 98 Analysis;</p> <p>23 RASOR-SDTX00913-924</p> <p>24 25</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES OF COUNSEL (All counsel appeared remotely.)</p> <p>2 On Behalf of Defendants William McMullen and Bayou</p> <p>3 City Energy Management LLC:</p> <p>4 KIRKLAND & ELLIS GRANT JONES 609 Main Street, Suite 4700 Houston, Texas 77002 grant.jones@kirkland.com</p> <p>7 On Behalf of Defendants Alta Mesa Resources, Inc., 8 Harlan Chapelle, James Hackett, Thomas Walker, Riverstone Investment Group, LLC, Stephen Coats, 9 Michael Ellis, Pierre Lapeyre, David Leuschen, Donald Sinclair, and Ronald Smith:</p> <p>10 LATHAM & WATKINS SARAH M. GRAGERT JANSEN VANDERMEULEN 555 Eleventh Street, NW Washington, DC 20004 sarah.gragert@lw.com jansen.vanmeulen@lw.com - and -</p> <p>14 WINSTON & STRAWN KATY PRESTON 800 Capitol Street, Suite 2400 Houston, Texas 77002 kpreston@winston.com</p> <p>17 On Behalf of Defendant ARM Energy Holdings, Inc.:</p> <p>18 EVERSLEDs SUTHERLAND DANE N. SOWERS 600 Congress Avenue One American Center Suite 2000 Austin, Texas 78701 danesowers@eversheds-sutherland.com</p> <p>22 ALSO PRESENT:</p> <p>23 Tim Tupiak, Legal Video Specialist Chelsea Gilchrist, Veritext Legal Solutions, Concierge-Technician</p> <p>24 Mariana Rojas, Entwistle, Paralegal Belle Harris, Kirkland & Ellis, Litigation Associate</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 EXHIBITS</p> <p>2 NUMBER DESCRIPTION PAGE</p> <p>3 Exhibit 90 1.12-19.2013 Longfellow 124 Energy PSET FracStar</p> <p>4 Passive Seismic Monitoring;</p> <p>5 ELLIS_SDTX0001864</p> <p>6 Exhibit 91 August 2017 Alta Mesa 190 Resources Pure-Play STACK</p> <p>8 Enterprises Excerpt</p> <p>9 Exhibit 92 Society of Petroleum 265 Engineers Article</p> <p>12 Exhibit CP-0774 Tab 20 Slide Excerpt of 282 CP-0407 and CP-0409</p> <p>13 Exhibit CP-0775 3.23.2018 Email Re: 299 STACK_Spacing_Report_ 20180322.pdf;</p> <p>15 AMR_SDTX00903271-283</p> <p>17 EXHIBITS PREVIOUSLY MARKED PAGE FIRST REFERRED TO</p> <p>18 CP-0186 300</p> <p>19 CP-356 225</p> <p>20 CP-743 36</p> <p>21 Exhibit 6 182</p> <p>22 Exhibit 64 166</p> <p>23 Exhibit 66 103</p> <p>24 25</p>

<p style="text-align: right;">Page 70</p> <p>1 Q. But you're not an expert in what Alta Mesa 2 actually considered or their decision-making 3 process? 4 MR. BRODEUR: Objection. 5 THE WITNESS: Other than the emails I reviewed 6 and comparing that to my 40 years of experience. 7 BY MS. GRAGERT: 8 Q. In paragraph 8 you say, "Alta Mesa drilled 9 too many wells too close together in the hope that 10 more wells would correspond to commensurately 11 greater production." 12 Is it generally true that an operator 13 drills more wells to increase production? 14 MR. BRODEUR: Objection. 15 THE WITNESS: That is one of the goals, yeah, 16 and the other would be to maximize return on 17 investment while you're trying to do that. 18 BY MS. GRAGERT: 19 Q. Do you intend to offer an opinion on what 20 Alta Mesa hoped? 21 A. I'm not offering opinions on their mental 22 state necessarily. I'm just trying to understand 23 -- in my own mind, I'm trying to explain how this 24 could have occurred especially with this really 25 experienced team. How did this experienced team</p>	<p style="text-align: right;">Page 72</p> <p>1 members of Alta Mesa before reaching this opinion? 2 A. No. 3 Q. Did you review any of their deposition 4 transcripts -- 5 A. Yes. 6 Q. -- before reaching this opinion? 7 A. Yes. 8 Q. Do you recall whose? 9 A. I think they're listed in the appendix of 10 which of those I got to look at. 11 Q. Are you aware that every officer and board 12 member was deposed in this case? 13 MR. BRODEUR: Objection. 14 THE WITNESS: I assume that they were. 15 BY MS. GRAGERT: 16 Q. Do you recall if you read all of their 17 depositions? 18 A. No, I didn't read all of them. 19 Q. Did you review their interrogatory 20 responses? 21 A. Again, if it's not in the list of 22 documents, then I probably didn't look at that. 23 Q. If we look to Opinion 1A with respect to 24 interference, it's your opinion that there is a 25 risk of interference among infill wells; is that</p>
<p style="text-align: right;">Page 71</p> <p>1 end up in this situation? So I'm using my 2 experience, having been in the business for 3 40 years and been part of this process for 4 40 years, to try to understand why or how this 5 could have happened. 6 Q. Do you intend to offer an opinion on why 7 it happened as opposed to simply that it happened? 8 A. Well, I did offer an opinion on why it 9 happened. I think they spent all their money too 10 rapidly before they had enough information, and as 11 a result, they overdrilled and destroyed value. 12 Q. Similarly, on the same line, at 13 paragraph 28 on page 10, you state that "They 14 proceeded with the aggressive drilling plan" -- 15 "that to proceed with the aggressive drilling plan 16 in the face of this evidence was reckless." 17 Again, just do you intend to provide 18 testimony to the jury on their mental state with 19 respect to whether or not they were reckless? 20 MR. BRODEUR: Objection. 21 THE WITNESS: I'm just comparing what they did 22 to what I think a reasonable operator should 23 have done given the fact set at the time. 24 BY MS. GRAGERT: 25 Q. Did you talk with any employees or board</p>	<p style="text-align: right;">Page 73</p> <p>1 right? 2 MR. BRODEUR: Objection. 3 THE WITNESS: This is -- where are we referring 4 to? 5 BY MS. GRAGERT: 6 Q. Well, I'm just asking you generally, with 7 respect to 1A, which starts on page 5, is it your 8 opinion that there is a risk of interference among 9 infill wells in a play like the STACK? 10 A. Yes. 11 Q. And some interference is to be expected in 12 developing a play, an unconventional play? 13 MR. BRODEUR: Objection. 14 THE WITNESS: Depending on the spacing, yes. 15 BY MS. GRAGERT: 16 Q. The issue, though, is figuring out the 17 best well spacing and well numbers to minimize the 18 interference and maximize output? 19 MR. BRODEUR: Objection. 20 THE WITNESS: Yes. I think the objective, 21 again, is to maximize return on investment. 22 BY MS. GRAGERT: 23 Q. But the goal is not to eliminate all 24 interference? 25 A. I would agree with that.</p>

<p style="text-align: right;">Page 74</p> <p>1 Q. If avoiding -- otherwise, an operator 2 might just put one well in every other section to 3 avoid any interference if that was the goal; right? 4 A. Correct. 5 Q. Now, you aren't offering an opinion that 6 based on the information available by mid 2017, 7 what the severity of interference was in 8 Alta Mesa's acreage? 9 Let me strike -- rephrase that. 10 You aren't offering an opinion that based 11 on the information available by mid 2017 -- 12 actually, the original question, I'm going to stick 13 with that. 14 Do you have an opinion on -- based on the 15 information available in 2017, what that 16 information showed the severity of the interference 17 was in Alta Mesa's acreage? 18 MR. BRODEUR: Objection. 19 THE WITNESS: Well, since they hadn't drilled 20 the acreage yet, what you would have to work with 21 would be the potential for interference at that 22 point as a risk factor. 23 BY MS. GRAGERT: 24 Q. Did you conduct any analysis of what the 25 extent of that potential risk was as of mid 2017?</p>	<p style="text-align: right;">Page 76</p> <p>1 industry knowledge of the risk as one red flag; is 2 that right? 3 A. Yes. 4 Q. The microseismic tests? 5 A. Yes. 6 Q. The tracer study? 7 A. Yes. 8 Q. And the -- and there's three emails that 9 you cite talking about some interference. That's 10 also -- you considered a red flag? 11 A. Yes. 12 Q. Anything I'm missing? 13 A. There was an analysis by Chris Widell with 14 Sponte Resources that was -- turned out to be spot 15 on. 16 Q. Do you know who Mr. Widell is? 17 A. Yes. 18 Q. Who is he? 19 A. He's a young engineer that I know 20 personally. 21 Q. Did you read Mr. Hackett's deposition? 22 A. I recall reviewing it, but I don't 23 remember many details about his deposition. 24 Q. Do you recall that Mr. Widell was simply a 25 business school classmate of Mr. Hackett's son?</p>
<p style="text-align: right;">Page 75</p> <p>1 A. Well, what I saw was a number of red flags 2 that were trying to telegraph that it was going to 3 be -- it was going to be fairly extensive, and -- 4 (Simultaneous speaking.) 5 THE WITNESS: -- could have taken that into 6 account. 7 BY MS. GRAGERT: 8 Q. Are all of those red flags identified in 9 your report? 10 A. I'm not sure all of them are, but they're 11 in the materials I reviewed, but I tried to point 12 out some of them. 13 Q. Are there other red flags that you did not 14 mention that are in your report that you saw? 15 A. Well, generally, I saw a number of emails 16 where they were internally concerned about these 17 things and they made comments that they seemed to 18 understand that they were potential problems. 19 Then there was some hard data such as the 20 microseismic that should have been a red flag, and 21 then there is some tracer data that should have 22 been a red flag. 23 So I think it's a combination of those 24 things that led me to that opinion. 25 Q. In your report you identify the historical</p>	<p style="text-align: right;">Page 77</p> <p>1 A. I'm not sure why that matters, but maybe 2 he was. I thought he was his son-in-law, but maybe 3 I heard wrong. 4 Q. Is there any information that Mr. Widell 5 provided that -- to -- well, first of all, 6 Mr. Widell provided that information to Riverstone; 7 is that right? 8 MR. BRODEUR: Objection. 9 THE WITNESS: I don't recall precisely, but 10 I think that was the email that I saw was related 11 to comments by Riverstone. 12 BY MS. GRAGERT: 13 Q. Is that information that you believe 14 Alta Mesa had access to pre-business combination? 15 A. Well -- 16 MR. BRODEUR: Objection. 17 THE WITNESS: -- I'm assuming Mr. Hackett had 18 access to it. 19 BY MS. GRAGERT: 20 Q. Did anyone else at Alta Mesa, to your 21 knowledge, have information -- have access to that 22 information? 23 A. I don't know if anyone else did. 24 Q. Are you aware of any information that 25 Mr. Widell looked at that was not public</p>

<p style="text-align: right;">Page 266</p> <p>1 Q. Okay. If you take a look at the bottom of 2 page 16 -- page 17 of the PDF, page 16 of the 3 report -- no, that's not true. It is page 16 of 4 the PDF. 5 A. Yes. 6 Q. Do you see at the bottom where it says 7 "It is important to note that ESP OPEX is now 8 comparable to other forms of lift system in the 9 basin based on the new artificial lift strategy and 10 vendor's support on new contract"? 11 A. Yes. 12 Now which basin are they referring to 13 here? 14 Q. The Permian Basin. 15 A. Yeah. 16 Q. So based on this study, which is using the 17 Permian Basin, the Society of Petroleum Engineers 18 concludes that the ESP OPEX is comparable to other 19 forms of lift systems? 20 A. Well, just one caveat, the Society of 21 Petroleum Engineers didn't write the report. 22 There's an author to this report, and that's that 23 author's opinion. Just a clarification. So -- 24 Q. Okay. 25 A. -- they usually put a disclaimer here at</p>	<p style="text-align: right;">Page 268</p> <p>1 Permian is developing on a cube structure, and they 2 really have many, many STACK piezos and lots of 3 wells per pad. So they have some advantages over 4 other parts of the country. 5 BY MS. GRAGERT: 6 Q. Have you done any analysis with how the 7 Permian Basin infrastructure compares with the 8 infrastructure around Alta Mesa's acreage? 9 A. No, it's just based on what I know about 10 the Permian, and it's my opinion. 11 Q. Let's take a look at the table on the next 12 page, page 17. There's -- the first group of costs 13 here, as I understand, are the OPEX costs -- I'm 14 sorry -- the CAPEX costs, and the bottom set of 15 costs are the monthly OPEX costs comparing various 16 artificial lifts. 17 Does that seem a fair assessment of this 18 table? 19 A. Let's see if I understand. Make sure I'm 20 reading this correctly. 21 So, apparently, they're running a gas lift 22 on electricity in this example, which is unusual. 23 You normally run that on natural gas from your 24 well. I've got -- 25 I had a chance to look at it. So please</p>
<p style="text-align: right;">Page 267</p> <p>1 the beginning, "The material does not necessarily 2 reflect any position of the Society of Petroleum 3 Engineers." It's at the very top there. But -- 4 Q. This is an article you cited in your 5 report? 6 A. Yes. Yeah, I agree with that. I'm just 7 clarifying. 8 And the Permian Basin is unique in that 9 the density of wells is higher than pretty much 10 anywhere else in the country. So their 11 infrastructure is very robust and that probably 12 gives them some advantages in terms of 13 electrification, rural electrification, with 14 three-phase current which is required. 15 Q. Do you believe that you can't draw 16 conclusions of the Permian Basin artificial lifts 17 to what was used in the STACK? 18 MR. BRODEUR: Objection to form. 19 THE WITNESS: I don't think so. I think that 20 would be a broad jump. In my experience, the 21 electrical cost in getting electricity to your well 22 could be expensive if you're not in an area that 23 has that infrastructure because, typically, it's 24 three-phase power, the power of these big pumps, 25 and that's not available everywhere. But the</p>	<p style="text-align: right;">Page 269</p> <p>1 ask your question. 2 Q. This study concludes that for capital 3 expenditures, the gas lift, in total, costs 4 \$202,872 more than an ESP. Do you see that 5 conclusion? 6 A. I did. 7 Q. And, in fact, the gas lift is -- that was 8 about three times more expensive to assemble? 9 A. Well, I'm surprised at that because that 10 hasn't been my experience, but that does seem what 11 they are showing here for the Permian. 12 Q. If we take a look at the bottom set of 13 numbers with the monthly CAPEX, it shows that the 14 gas lift is about \$20,000 per month cheaper than an 15 ESP. Do you see that conclusion? 16 A. Yes. 17 Q. Okay. So an operator could run an ESP for 18 about ten months and break even under these 19 numbers? 20 A. Yeah, if you were in the Permian and under 21 these conditions. 22 Q. Do you have any basis to identify how the 23 Permian Basin differed from Alta Mesa's acreage in 24 the STACK? 25 A. Well, again, I base my opinion on the</p>

<p style="text-align: right;">Page 270</p> <p>1 conclusions that were drawn at the time from the 2 staff at Alta Mesa. So I wasn't doing a full cycle 3 economic analysis to determine if their decision 4 was right or not in hindsight. 5 Q. Do you -- under paragraph 70 of your 6 report, you state that "Based on my review, it does 7 not appear that Alta Mesa completed an appropriate 8 level of evaluation before making a large-scale 9 switch to ESPs." 10 A. I didn't see evidence of that. 11 Q. The next sentence says "Rather, it appears 12 that Alta Mesa intentionally prioritized near-term 13 production increases without regard to the 14 long-term economics of their wells." 15 Other than the email chain that you gave 16 us the Bates number for, what basis did you use to 17 determine that Alta Mesa intentionally prioritized 18 near-term production over long-term economics? 19 A. Just the email where they said they were 20 chasing production. 21 Q. That was what one person had said in that 22 email chain? 23 A. Yes. 24 MS. GRAGERT: Let's go off the record for a 25 minute.</p>	<p style="text-align: right;">Page 272</p> <p>1 there. 2 A. I'm there. 3 Q. Okay. Does this table consider or compare 4 situations where gas lift is installed initially 5 against situations where ESP is installed 6 initially? 7 A. I believe that's what it's showing. It's 8 assuming you're doing it from day one. 9 Q. Does this table appear to account at all 10 for a situation where a gas lift is initially 11 installed, then replaced by an ESP, and then 12 replaced by a gas lift all in the same well? 13 A. I don't believe so. I think that's -- 14 I think they are intentionally just trying to show 15 you from day one. 16 Q. If you were to use -- try to use this 17 table to understand the cost of installing a gas 18 lift and then an ESP and then a gas lift again in 19 the same well, how would you use this table with 20 respect to the Permian? 21 A. Assuming that we're still, you know, happy 22 with these assumptions for the Permian, it looks 23 like you'd need to spend additional capital to 24 remove the gas lift. So you would have a work-over 25 cost.</p>
<p style="text-align: right;">Page 271</p> <p>1 THE VIDEOGRAPHER: Going off the record. The 2 time is 5:12 p.m. 3 (A short break was taken.) 4 THE VIDEOGRAPHER: We are going back on the 5 video record. The time is 5:21 p.m. 6 MS. GRAGERT: Mr. McGowen, thank you for your 7 time. I have no further questions today. I don't 8 know if any other parties might have some questions 9 for you. 10 MR. BRODEUR: Any other defendant have 11 questions? 12 Hearing none, do opt-out plaintiffs have 13 any questions before I ask mine? 14 MR. CATALINA: No, we don't. 15 EXAMINATION 16 BY MR. BRODEUR: 17 Q. Once again, Brendan Brodeur, for the class 18 plaintiffs. 19 Mr. McGowen, do you still have Exhibit 92 20 in front of you? 21 A. I can open it. 22 Q. Please do. 23 A. I have it open. 24 Q. Okay. If you could go back to page 17 of 25 the article, please. Just let me know when you're</p>	<p style="text-align: right;">Page 273</p> <p>1 You'd need to remove some equipment at the 2 surface. You'd need to change some electrical, 3 probably, and then you'd need to -- then you'd need 4 to install your ESP, and then probably come back -- 5 if you're going to put a gas lift on it later, you 6 would need to have that -- the gas lift expense 7 again. 8 Q. And are you aware of situations where 9 Alta Mesa installed gas lift initially in a well, 10 then replaced that with ESP in the same well, and 11 then later installed gas lift in that same well 12 again? 13 A. I'm not aware of that scenario occurring. 14 Q. Are you aware of situations where 15 Alta Mesa installed gas lift initially and then 16 replaced it with ESP in the same well? 17 A. That was my understanding is that they 18 were removing the gas lift and putting some ESPs 19 on. 20 Q. So if you were to use this table to 21 evaluate a similar situation in the Permian where a 22 gas lift was initially installed and then the gas 23 lift was removed and ESP installed in the same 24 well, how would you use this table to understand 25 the cost of that endeavor?</p>

<p style="text-align: right;">Page 302</p> <p>1 BY MS. GRAGERT:</p> <p>2 Q. Mr. McGowen, do you intend to offer any</p> <p>3 opinions about logarithmic versus linear plots at</p> <p>4 trial?</p> <p>5 A. Well, I think that's covered in the other</p> <p>6 report and in the report by the other expert.</p> <p>7 Q. So is the answer no?</p> <p>8 A. That wasn't really part of my scope.</p> <p>9 Q. Did you do any analysis of Mr. Kirkland's</p> <p>10 work to verify his conclusions?</p> <p>11 A. I didn't do independent analysis.</p> <p>12 I reviewed it and decided whether I agreed with him</p> <p>13 or not.</p> <p>14 MS. GRAGERT: I think that's all the questions</p> <p>15 I have. Thank you very much, Mr. McGowen.</p> <p>16 THE WITNESS: Thank you.</p> <p>17 THE VIDEOGRAPHER: Are we ready to go off the</p> <p>18 record?</p> <p>19 MR. BRODEUR: I just want to give the class</p> <p>20 plaintiffs and the other defendants a chance, or</p> <p>21 I will conclude the deposition if they don't have</p> <p>22 questions.</p> <p>23 UNIDENTIFIED SPEAKER: We don't have anything.</p> <p>24 THE WITNESS: One question: Can I get all of</p> <p>25 these exhibits, you know --</p>	<p style="text-align: right;">Page 304</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 I, DEANNA AMORE, a Shorthand Reporter and</p> <p>4 notary public, within and for the State of</p> <p>5 Illinois, County of DuPage, do hereby certify:</p> <p>6 That HAROLD MCGOWEN, the witness whose</p> <p>7 examination is hereinbefore set forth, was first</p> <p>8 duly sworn by me and that this transcript of said</p> <p>9 testimony is a true record of the testimony given</p> <p>10 by said witness.</p> <p>11 I further certify that I am not related to</p> <p>12 any of the parties to this action by blood or</p> <p>13 marriage, and that I am in no way interested in the</p> <p>14 outcome of this matter.</p> <p>15</p> <p>16 IN WITNESS WHEREOF, I have hereunto set my</p> <p>17 hand this 15th day of November 2023.</p> <p>18</p> <p>19</p> <p>20 </p> <p>21 Deanna M. Amore, CRR, RPR, CSR</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 303</p> <p>1 MR. BRODEUR: You'll have all the exhibits.</p> <p>2 Okay. Yeah, I have no further questions</p> <p>3 for the witness. I consider the deposition</p> <p>4 concluded.</p> <p>5 THE VIDEOGRAPHER: One moment, please.</p> <p>6 We are going off the record. The time is</p> <p>7 6:11 p.m. This conclude today's testimony given by</p> <p>8 Harold McGowen. The total number of media unit</p> <p>9 used was seven, and they will be retained by</p> <p>10 Veritext Legal Solutions. Thank you.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 305</p> <p>1 Veritext Legal Solutions</p> <p>2 1100 Superior Ave</p> <p>3 Suite 1820</p> <p>4 Cleveland, Ohio 44114</p> <p>5 Phone: 216-523-1313</p> <p>6 To: Brendan J. Brodeur</p> <p>7 Case Name: Alta Mesa Resources, Inc. Securities Litigation v.</p> <p>8 Veritext Reference Number: 6294445</p> <p>9 Witness: Harold McGowen Deposition Date: 11/13/2023</p> <p>10 Dear Sir/Madam:</p> <p>11 Enclosed please find a deposition transcript. Please have the witness</p> <p>12 review the transcript and note any changes or corrections on the</p> <p>13 included errata sheet, indicating the page, line number, change, and</p> <p>14 the reason for the change. Have the witness' signature notarized and</p> <p>15 forward the completed page(s) back to us at the Production address</p> <p>16 shown</p> <p>17 above, or email to production-midwest@veritext.com.</p> <p>18 If the errata is not returned within thirty days of your receipt of</p> <p>19 this letter, the reading and signing will be deemed waived.</p> <p>20</p> <p>21 Sincerely,</p> <p>22 Production Department</p> <p>23</p> <p>24</p> <p>25 NO NOTARY REQUIRED IN CA</p>

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.
SECURITIES LITIGATION

Case No. 4:19-cv-00957

Judge George C. Hanks, Jr.

Errata To November 13, 2023 Deposition of Harold E. McGowen III, PE

Page / Line	Transcript Reads	Transcript Should Read	Reason For Change
7/16	Harold McGowen III	Harold Edward McGowen III	Correction/Clarification
19/11	rehab	have	correction
24/3	it	unconventional pay	Clarification
43/7	said	sell	Correction
52/25	That's the optimal	The optimal	Grammar
55/8	change and the rate of change	change in the rate of change	Correction
55/9	, the velocity of a fluid particle or molecules is negligible	, and the velocity of a fluid particle or molecules, is negligible	Correction/Clarification

Page / Line	Transcript Reads	Transcript Should Read	Reason For Change
Page 56/13	and but	and	Correction/Clarification
Page 64/17	old	whole	Correction
Page 85/19	level	well	Correction
Page 86/3	doesn't	does	Correction
Page 114/16	approved	proved	Correction
Page 117	drawing	drainage	Correction
Page 121/11	fracturing	fractured	Correction
Page 122/25	to	in	Correction
Page 130/18	fraction	fracture	Correction
Page 133/6	tracing	tracer	Correction
Page 133/13	that form the wellbore	that extend from the wellbore	Correction/Clarification
Page 141/9	release	re-lease (as in lease again)	Correction
Page 141/18	build back	dial back	Correction/Clarification
Page 175/9	at	up	Correction/Clarification
Page 223/6	and new	and not new	Correction

Page / Line	Transcript Reads	Transcript Should Read	Reason For Change
Page 231/7	how I approach	how I would approach	Correction/Clarification
Page 232/19	the responsible well	the response of the well	Correction/Clarification
Page 238/24	long	far	Correction/grammar
Page 240/21	Share	Shale	Correction
Page 263/16	gas lifts	gas lift	Correction
Page 263/17	unusable	usable [life span]	Correction/Clarification
Page 265/10	you would run gas lift valves in the well of an ESP	you would not run gas lift valves in the well with an ESP	Correction/Clarification
Page 267/24	the power of	[that is required] to power	Correction/Grammar
Page 268/2	STACK piezos	stacked pays	Correction
<p>Signature of Witness:</p> <p><u>11/13/23</u></p> <p>(Date Signed)</p>			
<p style="text-align: center;">  <hr/> Harold E. McGowen III (Signature) </p>			

EXHIBIT 4

**UNITED STATES DISTRICT COURT
SOUTHERN DIVISION OF TEXAS
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.
SECURITIES LITIGATION

ALYESKA MASTER FUND, L.P., et al.
Plaintiffs,

v.

ALTA MESA RESOURCES, INC., et al.,
Defendants.

No. 4:22-cv-1189

Judge George C. Hanks, Jr.

ORBIS GLOBAL EQUITY LE FUND (AUSTRALIA
REGISTERED), et al.,
Plaintiffs,

v.

ALTA MESA RESOURCES, INC., et al.,
Defendants.

.

**EXPERT REPORT ON:
ALTA MESA RESOURCES' DEVELOPMENT OF ITS STACK ACREAGE**

CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

Prepared by: Edward James Fetkovich

Eddie Fetkovich

Prepared for Latham and Watkins, LLP
August 31, 2023

Table 5 – Key Dates and Well Types for Alta Mesa’s Multi-Well Development Patterns⁴⁸

PATTERN	FIRST SPUD DATE	FIRST PRODUCTION DATE	DELTA	FIRST ASSESSMENT DATE	PARENT COUNT	SIBLING COUNT	INFILL PARENT COUNT	CHILD COUNT	TOTAL WELL COUNT
Ash-Foster	5/14/2017	11/4/2017	174	3/4/2018	2		1	7	10
Hoskins	6/9/2017	12/17/2017	191	4/16/2018	1		2	5	8
Themer	6/22/2017	11/28/2017	159	3/28/2018	1		3	4	8
Paris	8/9/2017	1/4/2018	148	5/4/2018	1		1	4	6
Todd	8/18/2017	1/22/2018	157	5/22/2018	1			3	4
Lankard	9/12/2017	1/18/2018	128	5/18/2018	1			5	6
James	10/13/2017	4/22/2018	191	8/20/2018	1			3	4
Zeppelin	11/3/2017	4/5/2018	153	8/3/2018	0		1	3	4
The Trick	11/16/2017	3/22/2018	126	7/20/2018	1		2	4	7
Niko	11/29/2017	4/16/2018	138	8/14/2018		4			4
Odie	1/1/2018	5/18/2018	137	9/15/2018	1		1	5	7
Red Queen	1/13/2018	5/25/2018	132	9/22/2018	1			3	4
Huntsman Old Crab	1/19/2018	5/31/2018	132	9/28/2018	1		4	5	10
Oak Tree	1/28/2018	5/4/2018	96	9/1/2018	1			3	4
SE-Slaughter House	2/18/2018	8/14/2018	177	12/12/2018			12	2	14
Speyside	2/26/2018	5/16/2018	79	9/13/2018	1			3	4
Peat	3/5/2018	6/17/2018	104	10/15/2018	1			3	4
Greene-Mackey	3/13/2018	7/2/2018	111	10/30/2018	1			5	6
Sawgrass	3/15/2018	6/25/2018	102	10/23/2018	1			3	4
Slugworth	4/20/2018	7/30/2018	101	11/27/2018	1			4	5
Whiskeyfeet	5/4/2018	8/28/2018	116	12/26/2018		4			4
Redbreast	5/12/2018	9/23/2018	134	1/21/2019	1			6	7
Daydrinker	6/5/2018	9/1/2018	88	12/30/2018	1			3	4
Walrus	6/11/2018	9/30/2018	111	1/28/2019	1			6	7
White King	6/14/2018	9/28/2018	106	1/26/2019	1			3	4
Dalwhinnie	7/4/2018	10/22/2018	110	2/19/2019	1		2	1	4
Mad Hatter	7/4/2018	10/27/2018	115	2/24/2019	1			6	7
White Rabbit	7/17/2018	11/2/2018	108	3/2/2019	1		2	4	7
Bollenbach - sec 21	8/3/2018	11/19/2018	108	3/19/2019			3	4	7
Boecher	8/29/2018	11/17/2018	80	3/17/2019	1			3	4
Cheshire Cat	8/31/2018	11/24/2018	85	3/24/2019	1		1	4	6
Fazio	9/3/2018	12/15/2018	103	4/14/2019	1		1	5	7
Bollenbach - sec 27	10/8/2018	12/8/2018	61	4/7/2019	1			2	3
Tullamore	10/10/2018	12/24/2018	75	4/23/2019	1			6	7
Lil Sebastian	10/14/2018	1/18/2019	96	5/18/2019	1			4	5
Sadiebug	10/31/2018	2/20/2019	112	6/20/2019	1			3	4
Evelyn	11/1/2018	4/4/2019	154	8/2/2019	1			3	4
Cleveland	11/10/2018	2/26/2019	108	6/26/2019	1		1	4	6
Towne	11/17/2018	3/29/2019	132	7/27/2019	1			3	4
EHU 255/257/259	11/17/2018	4/23/2019	157	8/21/2019		3			3
EHU 252/254/256/258	12/3/2018	4/13/2019	131	8/11/2019		4			4
Kilgore	12/19/2018	4/12/2019	114	8/10/2019	2			2	4
Helen	12/19/2018	4/12/2019	114	8/10/2019	1		1	1	3
Edwin	3/1/2019	5/11/2019	71	9/8/2019	1			3	4
Aberfeldy	3/2/2019	5/10/2019	69	9/7/2019	1			3	4
Mouse Rat	4/9/2019	7/3/2019	85	10/31/2019	1			3	4
Bunker Buster	4/11/2019	7/11/2019	91	11/8/2019	1			3	4
Aces High	5/16/2019	7/25/2019	70	11/22/2019	1			2	3
Mayes-Schilde	5/21/2019	7/26/2019	66	11/23/2019	2			3	5
Wakeman	6/13/2019	8/30/2019	78	12/28/2019	1			3	4
Brown	6/20/2019	8/22/2019	63	12/20/2019	1			3	4
Hasley	7/24/2019	10/25/2019	93	2/22/2020	1			2	3

⁴⁸ For purposes of this report, a “parent well” is defined as a well drilled with no previous horizontal Mississippian production within a drainage area of 2,640 feet (2 well-per-section (“WPS”) spacing) in both the east and west perpendicular direction from the wellbore. Using the same drainage area assumption, a “child well” is defined as a new well that has had previous horizontal Mississippian production more than 90 days before the production of the new well within the assumed drainage area. An “infill parent well” is defined as a new well that is part of a multi-well development pattern that contains children wells, but it is not a child well since it is not